



COMMUNITY-BASED RESIDENTIAL FACILITIES

DHS Regulatory Model

2015 Winter Code Updates



Chapter DHS 83
COMMUNITY-BASED RESIDENTIAL FACILITIES

Chapter DHS 88
LICENSED ADULT FAMILY HOMES

Chapter DHS 89
RESIDENTIAL CARE APARTMENT COMPLEXES



DHS 83.63 Plan review.

Department of Safety and Professional Services.

Plan review by DSPS is required for new construction or remodeling of CBRFs of 9 or more residents except for those CBRFs attached to hospitals or nursing homes.

Department of Health Services.

New and remodeled. Plans for all new construction, additions, and remodeling projects for CBRFs shall be approved by the department before beginning construction.



DHS 88.01 Authority, purpose and scope.

This chapter is promulgated under the authority of State statute to establish licensing standards for the operation of adult family homes in order to protect and promote the health, safety and welfare of persons residing in and receiving care and maintenance in these homes.

“Adult family home” or “home” means a place where **3 or 4 adults** not related to the licensee reside in which care, treatment or services above the level of room and board but not including nursing care are provided.



DHS 89.22 Building requirements.

A residential care apartment complex shall comply with all applicable statutes, rules and regulations.

Note: The Wisconsin department of safety and professional services considers residential care apartment complexes to be multifamily dwellings subject to the code in effect at the time of construction.



Building Specific Subchapters of DHS 83

Subchapter IX — Safety

Subchapter X — Building Design

**Subchapter XI — Requirements for New
Construction, Remodeling, Additions,
or Newly-Licensed Existing Structures**



DHS 83.62 Codes.

The following codes and standards are adopted as part of these rules and incorporated by reference:

- Wisconsin Commercial Building Code
- NFPA 72-2002, National Fire Alarm Code
- NFPA 13-2002, Standard for Installation of Sprinkler Systems
- NFPA 13R-2002 Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height
- NFPA 13D-2002, Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes



DHS 83.47 Fire safety requirements.

EVACUATION CAPABILITIES.

- If the time it takes for any resident to evacuate is more than **2 minutes and up to 4 minutes**, with or without employee assistance.
- If a resident has an evacuation time of **4 or more minutes**, with or without employee assistance.
- If a **resident cannot be safely evacuated** from their bedroom as determined by the CBRF's assessment, the CBRF shall instruct the resident to remain in the resident's bedroom...



DHS 83.47 Fire safety requirements.

EMERGENCY AND DISASTER PLAN.

FIRE INSPECTION.

FIRE EXTINGUISHER.

SMOKING.



DHS 83.48 Fire protection systems.

INTERCONNECTED
SMOKE AND HEAT DETECTION SYSTEM.

SPRINKLER SYSTEMS.



DHS 83.50 Minimum type of construction.

**Table DHS 83.50
Minimum Type of Construction by Class of Licensure for Facilities with 3 or Fewer Habitable Floors**

Number of Habitable Floors	Class of Licensure				
	AA	AS, ANA		CA, CS, CNA	
	Construction Type	Construction Type		Construction Type	
		Non-Sprinklered	Sprinklered	Non-Sprinklered	Sprinklered
1	VB	VB	VB	IIA	VB
2	VB	VB	VB	IB	VB
3	VB	IB	IIA	IB	IIA

Note: For information regarding types of construction see ch. Comm 61.



DHS 83.51 Area of refuge.

A room to be used as an area of refuge may not be a bedroom or a room for the private use of any resident, other occupant, employee, or licensee.

The area of refuge shall be constructed of fire resistive construction rated for at least one-hour rated fire resistive construction.



DHS 83.52 Common dining and living space.

SPACE PER RESIDENT. The minimum common dining and living space shall be **60 square feet** per ambulatory or semi-ambulatory resident or other occupant, and **90 square feet** per non-ambulatory resident or other occupant.



DHS 83.54 Resident bedrooms.

Bedrooms shall be designed and equipped to allow residents to achieve the highest level of independent functioning and shall be fully accessible to the resident.



DHS 83.55 Bath and toilet areas.

The CBRF shall provide at least one toilet, one sink and one bath or shower for every 10 residents and other occupants or fraction thereof.

**GRAB BARS...LOCATION...HAND
DRYING...PRIVACY...ELECTRICAL
FIXTURES...WATER SUPPLY.**



DHS 83.57 Multiple occupancies.

A CBRF located in the same building as a nursing home or hospital shall be a distinct living area and shall be separated between the 2 occupancies by a minimum of a 2 hour fire rated construction or all parts of each distinct living area shall meet the higher fire protection standards.



DHS 83.57 Multiple occupancies.

A CBRF located in the same building as a residential care apartment complex or other residential occupancy shall be a distinct living area and shall be separated between the 2 occupancies by at least a one hour fire rated construction. **The entire building shall be equipped with an interconnected smoke and heat detection system and sprinkler system**



DHS 83.57 Multiple occupancies.

If a common lobby and access area of a multiple occupancy building is not provided, the CBRF shall have separate entrance and exit doors.



DHS 83.58 Garages and utility buildings.

Common walls between a CBRF and an attached garage shall be protected with at least one layer of 5/8-inch type X gypsum board with taped joints on the garage side and with at least one layer of 5/8-inch gypsum board with taped joints, or equivalent, on the CBRF side. The walls shall provide a complete separation.



DHS 83.59 Exits and passageways.

In this section, “exit” means standard exit doors opening to passageways or grade, exit passageways, fire escapes, and stairways as specified in ch. SPS 361.



DHS 83.59 Exits and passageways.

EXITS. All habitable floors shall have at least 2 exits providing unobstructed travel to the outside. Small class AA CBRFs licensed on or before April 1, 2009, with no more than 2 habitable floors may have one exit from the second floor.

DOORS. All doors shall have latching hardware to permit opening from the inside with a one-hand, one-motion operation without the use of a key or special tool.



DHS 83.59 Exits and passageways.

DELAYED EGRESS. Delayed egress door locks are permitted with department approval only in facilities with a supervised automatic fire sprinkler system and a supervised interconnected automatic fire detection system.

STAIRS AND SHAFTS. All required interior and exterior exit stairways shall be in compliance with ch. SPS 361. For small CBRFs, all required interior and exterior exit stairways shall be in compliance with the Uniform Dwelling Code.



DHS 83.60 Windows.

Every habitable room shall have at least one outside window with a total window area of at least 8% of the floor area in the room. The window shall be openable from the inside without the use of tools or keys. The openable area of the window shall be not less than 4% of the floor area of the room.



DHS 83.61 Interior surfaces.

WALLS AND CEILINGS. Interior walls and ceilings in spaces subjected to moisture shall have water-resistant hard surfaces and no substantial surface irregularities or cracking.



DHS 83.64 Building standards.

Building systems shall be installed according to all referenced standards. Systems include heating, ventilation and air conditioning, plumbing, electrical, and fire protection.



DHS 83.64 Building standards.

Interconnected detection systems in small facilities shall at minimum meet the provisions of NFPA 72, Chapter 11. Initial testing shall meet NFPA 72, Chapter 10.



DHS 83.64 Building standards.

Facilities with a licensed capacity of 9 or more residents shall incorporate the interconnected detection system into a building fire alarm system complete with manual pull stations, horns and strobes, and a control panel with battery back-up which will activate a building-wide alarm if any initiating device is automatically or manually activated, including activation of the sprinkler system.



DHS 83.64 Building standards.

CBRFs of the following size and class shall be provided with automatic sprinkler systems in accordance with the chart and with the requirements under s. DHS 83.48 (8) (a).

Sprinkler System Chart for New Construction

Facility Class and Size	Sprinkler System Requirement
CBRF Large 'A'-class (21 or more)	NFPA 13 R or NFPA 13
CBRF Medium 'A'-class (9-20)	NFPA 13 R or NFPA 13 or NFPA 13 D
CBRF Small 'A'-class (5-8)	Not Required
CBRF Large 'C'-class (21 or more)	NFPA 13
CBRF Medium 'C'-class (9-20)	NFPA 13 D or NFPA 13 or NFPA 13 R
CBRF Small 'C'-class (5-8)	NFPA 13 D or NFPA 13 R



DHS 83.64 Building standards.

All CBRF with a license capacity of 9 or more residents shall have smoke compartments formed by smoke barriers in accordance with ch. SPS 361.



DHS 83.64 Building standards.

Small class AA facilities shall have at least 2 primary exits that are doors from each floor that provide unobstructed travel to grade level.



DHS 83.64 Building standards.

All entrance and exit doors and interior doors serving all common living areas and all bathrooms and bedrooms in small CBRFs shall have a clear-width opening of at least 32 inches.



DHS 83.64 Building standards.

All interior and exterior ramps shall have a slope of not more than one foot of rise in 12 feet of run.



Department of Health Services



Thank You!